



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert D. BUDIC )  
)  
Application No.: 09/994,921 )  
)  
Filed: November 28, 2001 )  
)  
For: SYSTEM AND METHOD FOR ADAPTIVE )  
BROADCAST RADAR SYSTEM )

Art Unit: 3662  
Examiner: Ian J. LOBO

*13/ Prior Art w/late 5/6/03 Holmes*

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 20313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of each of the listed documents is submitted herewith. Applicant respectfully requests that the Examiner consider all references listed on the attached Forms PTO-1449.

This information disclosure statement is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113. A statement specified in §1.97(e) is included.

Applicant respectfully requests that the Examiner considers the attached Annex Form PCT/ISA/206, Communication Relating to the Results of the Partial International Search (U.S. Search Authority) mailed February 24, 2003 issued in Applicant's corresponding PCT Application PCT/US01/44267 as submitted herewith and evidence that consideration by making appropriate notation on the Form PTO-1449. Each cited reference listed on the PTO-1449 was first cited in the subject communication from the International Searching Authority in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

No item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determine that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

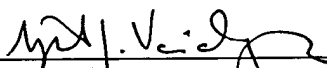
Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: April 30, 2003

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